

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

ARQUEST, INC.

SUMMONS IN A CIVIL ACTION

V.

KIMBERLY-CLARK WORLDWIDE, INC.

CASE NUMBER:

07 CV 11202

TO: (Name and address of Defendant)

Kimberly-Clark Worldwide, Inc.
351 Phelps Drive
Irving, Texas 75038

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Brian D. Siff, Esq.
Richard LaCava, Esq.
Peter Lambrianakos, Esq.
DICKSTEIN SHAPIRO LLP
1177 Avenue of the Americas
New York, NY 10036

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

DEC 12 2007

CLERK

DATE

(By) DEPUTY CLERK

AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT
SOUTHERN District of NEW YORK

Index Number: 07 CV 11202

Date Filed: 12/12/2007

Plaintiff:

ARQUEST, INC

vs.

Defendant:

KIMBERLY-CLARK WORLDWIDE, INC.

For:

DICKSTEIN SHAPIRO LLP

1177 Avenue Of The Americas

New York, NY 10036

Received by U.S. PROCESS SERVICE INC. on the 14th day of December, 2007 at 12:17 pm to be served on
KIMBERLY-CLARK WORLDWIDE, INC., 351 PHELPS DRIVE, IRVING, TX 75038.

I, Jack Rosser SCH 1072, being duly sworn, depose and say that on the **14th day of December, 2007 at 1:45 pm, I:**

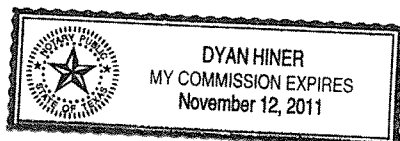
Served the within named corporation by delivering a true copy of the Citation and **SUMMONS AND COMPLAINT** with the date and hour of service endorsed thereon by me to GINA GAGLIA as LEGAL DEPARTMENT of the within named corporation, in compliance with State Statutes.

Description of Person Served: Age: 30, Sex: F, Race/Skin Color: White, Height: 5'7, Weight: 135, Hair: Brown, Glasses: Y

I am not less than 18 years of age:I am not interested in the outcome of this law suit or a party to the suit:I have not been convicted of a felony or misdemeanor involving moral turpitude:I am familiar with the Texas Rules of Civil Procedure.

Subscribed and Sworn to before me on the 17th day
of December, 2007 by the affiant who is personally
known to me.


NOTARY PUBLIC




Jack Rosser SCH 1072
Process Server

U.S. PROCESS SERVICE INC.
11 Park Place, Suite 1512
New York, NY 10007
(212) 528-0777

Our Job Serial Number: 2007001007
Ref: ARQUEST, INC.
Service Fee: _____

Affidavit of Process Server

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

(NAME OF COURT)

ARQUEST, INC

vs

KIMBERLY-CLARK WORLDWIDE, INC.

07 CV 11202

PLAINTIFF/PETITIONER

DEFENDANT/RESPONDENT

CASE NUMBER

I, JACK ROSSER, being first duly sworn, depose and say: that I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I served KIMBERLY-CLARK WORLDWIDE, INC.

NAME OF PERSON / ENTITY BEING SERVED

with (list documents) SUMMONS AND COMPLAINT

by leaving with GINA GAGLIA LEGAL DEPARTMENT At

NAME

RELATIONSHIP

☐ Residence

ADDRESS

CITY / STATE

☒ Business 351 PHELPS DRIVE, IRVING, TX 75038

ADDRESS

CITY / STATE

On DECEMBER 14, 2007 AT 1:45PM CST

DATE

TIME

Thereafter copies of the documents were mailed by prepaid, first class mail on _____

DATE

from _____

CITY

STATE

ZIP

Manner of Service:

☐ **Personal:** By personally delivering copies to the person being served.

☐ **Substituted at Residence:** By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household over the age of _____ and explaining the general nature of the papers.

☒ **Substituted at Business:** By leaving, during office hours, copies at the office of the person/entity being served with the person apparently in charge thereof.

☐ **Posting:** By posting copies in a conspicuous manner to the front door of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

☐ Unknown at Address ☐ Moved, Left no Forwarding ☐ Service Cancelled by Litigant ☐ Unable to Serve in Timely Fashion

☐ Address Does Not Exist ☐ Other _____

Service Attempts: Service was attempted on: (1) _____ (2) _____

DATE

TIME

DATE

TIME

(3) _____ (4) _____ (5) _____

DATE

TIME

DATE

TIME

DATE

TIME

Description: Age 30 Sex F Race WHITE Height 5'7 Weight 135 Hair BRN Beard _____ Glasses Y

TEXAS SUPREME COURT #SCH1072

SIGNATURE OF PROCESS SERVER

SUBSCRIBED AND SWORN to before me this 17TH day of DECEMBER, 2007, by JACK ROSSER, Personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

SIGNATURE OF NOTARY PUBLIC

NOTARY PUBLIC for the state of TEXAS